

Reto
CPA

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By:

THOMAS M. GALGANO, Esq.

Dated:

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GROUP 3600

PATENT
DOCKET 1310-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : JOSEPH E. PORCELLI
SERIAL NO. : 09/356,771
FOR : CAR AND TRUCK BEVERAGE HOLDER
FILED : JULY 16, 1999
ART UNIT : 3632

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
and Trademarks
Washington, D.C. 20231

ATT: OFFICE OF INITIAL PATENT EXAMINATION'S CUSTOMER SERVICE CENTER

Dear Sir:

Attached is a copy of the Official Filing Receipt for the above-identified application which contains errors. Specifically, the number of claims for this Continued Prosecution Application should be

six (6) total claims and two (2) independent claims. Also, the attorney of record (Thomas M. Galgano) is listed under Assignment for Published Patent Application.

Based upon a review of the application file, Applicant's attorney respectfully submits that these errors were due to an oversight by the U.S. Patent and Trademark Office (PTO).

Accordingly, it is respectfully requested that no charge be made for attending to the issuance of a corrected Official Filing Receipt for this application.

Respectfully submitted,



Thomas M. Galgano, Esq.
Reg. No. 27,638
GALGANO & BURKE
Attorneys for Applicant

300 Rabro Drive, Suite 135
Hauppauge, NY 11788
(631) 582-6161

Enclosures: Request for Corrected Filing Receipt
Copy of Official Filing Receipt with corrections noted.
Copy of CPA Request Transmittal form
Copy of stamped postcard receipt



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/356,771 | 07/16/1999 | 3632 | 380 | 1310-2 | 2 | 17 6 | 1 2 |

CONFIRMATION NO. 8276

CORRECTED FILING RECEIPT



OC00000007492143

THOMAS M GALGANO ESQ
GALGANO & BURKE
300 RABRO DRIVE
SUITE 135
HAUPPAUGE, NY 11788



Date Mailed: 02/19/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

JOSEPH E. PORCELLI, MERRICK, NY;

Assignment For Published Patent Application

~~THOMAS M. GALGANO;~~ (THIS IS THE ATTORNEY OF RECORD

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/11/1999

CPA filed on: 01/22/2002

Projected Publication Date: 05/30/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

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Title

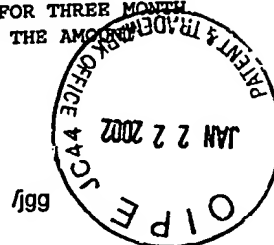
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RECEIVED BY PATENT AND TRADEMARK OF

APPLICANT : JOSEPH E. PORCELLI
SERIAL NO : 09/356,771
FILING DATE : JULY 16, 1999
MARK/TITLE : CAR AND TRUCK BEVERAGE HOLDER
EXAMINER/
ATTORNEY : N. SANDERS
PAPERS SENT : TWO PAGE CONTINUED PROSECUTION APPLICATION
(CPA) IN DUPLICATE, COPY OF AMENDMENT FILED
NOVEMBER 20, 2001, REQUEST FOR THREE MONTH
EXTENSION OF TIME, CHECK IN THE AMOUNT
OF \$775.00, POSTCARD

Docket No.: 1310-2
Sent: January 22, 2002
Due: January 20, 2002



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APR 29 2002

GROUP 3600

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX, if applicable:
☒ **DUPLICATE**

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

| | |
|------------------------|-------------------------------|
| Attorney Docket No. | 1310-2 |
| First Named Inventor | Joseph Porcelli |
| Examiner Name | Naschica Sanders Merrision |
| Group / Art Unit | 3632 |
| Express Mail Label No. | EL659107723US |

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 356,771
filed on July 16, 99, entitled CAR AND TRUCK BEVERAGE HOLDER

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- ☒ Enter the unentered amendment previously filed on November 20, 2001 (copy enclosed) under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
.....
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|-------------------------------------------------------------------------------------------------------------------|---------|------------------|------------------|---------------------------------|------------------|
| TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (d)) | | 6 -20* = | - | x \$ 18.00 = | \$ - |
| INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (d)) | | 2 -3** = | - | x \$ 84.00 = | - |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d)) | | | | + \$ - = | - |
| | | | | BASIC FEE (37 C.F.R. § 1.16) | \$ 740.00 |
| | | | | Total of above Calculations = | - |
| Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28). | | | | | \$ 370.00 |
| * Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent. | | | | TOTAL = | \$ 370.00 |

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07 - 0130 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18.
8. ☒ A check in the amount of \$ 775.00 is enclosed.
9. ☒ Other: Request for 3 Month Extension of Time.....

NOTE:

The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

| 10. NEW CORRESPONDENCE ADDRESS | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|--------------|----------|--------------|
| <input type="checkbox"/> Customer Number or Bar Code Label | | | | | |
| <div style="border: 1px dashed black; width: 200px; height: 50px; margin: 0 auto;"></div> (Insert Customer No. or Attach bar code label here) | | | | | |
| or <input type="checkbox"/> New correspondence address below | | | | | |
| Name | Thomas M. Galgano | | | | |
| | GALGANO & BURKE | | | | |
| Address | 300 Rabro Drive - Suite 135 | | | | |
| City | Hauppauge | State | NY | Zip Code | 11788 |
| Country | USA | Telephone | 631.582.6161 | Fax | 631.582.6191 |

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | |
|-----------------------------------|-------------------|
| Name (Print/Type) | Thomas M. Galgano |
| Signature | |
| Registration No. (Attorney/Agent) | 27,638 |
| Date | 1/22/02 |

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